

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

| | | |
|---|---|---------------------------------|
| ISAIAH JOHNSON, #R73381, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Case No. 24-cv-01280-SMY |
| |) | |
| ANTHONY D. WILLS, NURSE CRANE, |) | |
| NURSE CRAIN, JOHN DOE 1, |) | |
| JOHN DOE 2, AND |) | |
| CURRENT WARDEN OF MENARD |) | |
| CORRECTIONAL CENTER,¹ |) | |
| |) | |
| Defendants. |) | |

JOHN DOE IDENTIFICATION ORDER

YANDLE, District Judge:

This matter is before the Court *sua sponte* for case management purposes. This Order sets forth the process and procedures for the identification and substitution of unidentified Defendants.

Identification of Unknown Defendants

Plaintiff is proceeding against two unknown defendants, John Doe 1 and John Doe 2. Warden Anthony Wills has been added as a Defendant in his official capacity for the purpose of assisting with the identification of Defendants John Doe 1 and 2. (Doc. 7).

The exchange of information for the purpose of identifying Defendants John Doe 1 and 2 shall proceed according to the following schedule.

1. Plaintiff shall have until **July 3, 2024** to file a Notice with the Court, and provide to the Warden's attorney, any information he possesses which will help identify Defendants John Doe 1 and 2, such as: physical description(s), gender, rank, partial

¹ Warden Anthony Wills is the current Warden of Menard Correctional Center and appeared in his official capacity for purposes of identifying the unknown defendants herein on June 11, 2024. (Doc. 13).

name(s)/nickname(s), specific job assignment(s), shift times, and locations and dates where Plaintiff interacted with the John Doe(s).

2. The Warden shall have until **July 24, 2024** to file a Notice with the Court and provide Plaintiff the identity of Defendants John Doe 1 and/or 2. If the Warden is unable to identify Defendants John Doe 1 and/or 2, he shall provide Plaintiff with any document or information, including photographs and videos, that may assist in the identification of Defendants John Doe 1 and/or 2² by the same deadline. The Warden shall contemporaneously file an affidavit certifying the steps taken to identify each unknown Defendant based on the information provided or available to the Warden.
3. Plaintiff shall have until **August 14, 2024** to file a motion to substitute specific individuals for Defendants John Doe 1 and/or 2 or, if either one remains unidentified, to file a motion specifying additional steps that can be taken to identify him.

Plaintiff's failure to comply with this Order and to identify Defendants John Doe 1 and/or 2 within the required timeframe will result in the dismissal of these defendants from the action. See FED. R. CIV. P. 41(b). The Defendant Warden's failure to comply with this Order in a good faith effort to identify Defendants John Doe 1 and/or 2 will result in the imposition of sanctions.

IT IS SO ORDERED.

DATED: 6/12/2024

s/ Staci M. Yandle
Staci M. Yandle
United States District Judge

² Such documents may include, for example, incident reports; grievances or other related materials, such as responses, grievance logs and counselor's notes; disciplinary tickets, along with any documents related to the resolution of the tickets; Plaintiff's cumulative counseling summary or other log of interactions with staff during the relevant time; correspondence with the chaplain; shakedown slips; and copies of relevant medical records, provided Plaintiff has executed the required release form.